

Express Mail No.: EV459193797US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul Johnson, et al.

Serial No.: 10/750,417

Filed: December 31, 2003

For: METHODS AND APPARATUS FOR
DETECTING CRACKS IN WELDS



: Art Unit:
: Examiner:
: Atty. Dkt. No.: 24NS-129203
:
:

**RESPONSE TO NOTICE TO FILE MISSING PARTS
IN A NONPROVISIONAL APPLICATION**

**Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application ("Notice") (copy enclosed) of Applicant: **Paul Johnson, et al.**, Serial No.: **10/750,417** dated **May 3, 2004**, Applicants respectfully submit the following: fully executed Declaration/Power of Attorney documents of inventors: **Paul Johnson (3 pgs.); David Galbally (3pgs.); Walter Anthony Mitchell, III (3 pgs.); and Trevor James Davis (3 pgs.)**; and Patent Practitioner(s) Designation Under 37 CFR 1.32(c)(3) in compliance with the requirements set forth in 37 CFR 1.63;

Fully executed Utility Patent Application Fee Transmittal (in duplicate) for payment of the statutory filing fees ; and

Five (5) Sheets of Formal Drawings in compliance with 37 CFR 1.84(l) and (p)(1); The Commissioner is asked to consider this a request for a one-month extension of time through and including **August 3, 2004**, to file this Response and is hereby authorized to charge Deposit Account Number 01-2384, for the late filing fee set forth in 37 CFR 1.16(e) of \$130.00; and the one-month extension of time fee set forth in 37 CFR 1.17(a)(1) of \$110.00.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick W. Rasche".

Patrick W. Rasche, Reg. No. 37,916
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070

08/04/2004 EFLORES 00000081 012384 10750417
03 FC:1251 110.00 DA



check for \$770.00

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB#0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 770.00)

Complete if Known

Application Number	10/750,417
Filing Date	December 31, 2003
First Named Inventor	Paul Johnson
Examiner Name	
Art Unit	3641
Attorney Docket No.	24NS-129203

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

 Deposit Account:

Deposit Account Number 01-2384
Deposit Account Name Armstrong Teasdale LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Fee Code (\$)	Small Entity	Fee Code (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	\$770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$ 770.00)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	20	-20** =	Extra Claims	Fee from below	Fee Paid
Independent Claims	3	- 3** =			
Multiple Dependent					

Large Entity	Fee Code (\$)	Small Entity	Fee Code (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0)				

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

(Complete if applicable)

Name (Print/Type)	Patrick W. Rasche	Registration No. (Attorney/Agent)	37,916	Telephone	314-621-5070
Signature				Date	August 2, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ITW



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www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/750,417	12/31/2003	Paul Johnson	24NS-129203

Patrick W. Rasche
 Armstrong Teasdale LLP
 Suite 2600
 One Metropolitan Square
 St. Louis, MO 63102



CONFIRMATION NO. 4646
FORMALITIES LETTER



OC000000012510481

Date Mailed: 05/03/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/04/2004 EFLORES 00000081 012384 10750417
 01 FC:1001 770.00 DA
 02 FC:1051 130.00 DA

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity; must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1); See Figure(s) 4.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

AG
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE